

105TH CONGRESS
1ST SESSION

H. R. 1551

To amend title 23, United States Code, to ensure that local officials are permitted to participate in the selection of certain surface transportation program projects undertaken in areas of less than 50,000 population, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 7, 1997

Mr. STUPAK introduced the following bill; which was referred to the
Committee on Transportation and Infrastructure

A BILL

To amend title 23, United States Code, to ensure that local officials are permitted to participate in the selection of certain surface transportation program projects undertaken in areas of less than 50,000 population, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Local Officials Trans-
5 portation Empowerment Act of 1997”.

1 **SEC. 2. SELECTION OF HIGHWAY PROJECTS FOR AREAS OF**
2 **LESS THAN 50,000 POPULATION.**

3 Section 135(f)(3) of title 23, United States Code, is
4 amended to read as follows:

5 “(3) PROJECT SELECTION FOR AREAS LESS
6 THAN 50,000 POPULATION.—

7 “(A) AUTHORITY TO SELECT PROJECTS.—

8 “(i) IN GENERAL.—Projects under-
9 taken in areas of less than 50,000 popu-
10 lation (excluding projects undertaken on
11 the National Highway System and pursu-
12 ant to the Interstate maintenance pro-
13 gram) shall be selected pursuant to the
14 project selection procedures established
15 under subparagraph (B).

16 “(ii) NHS AND INTERSTATE MAINTEN-
17 NANCE PROGRAM PROJECTS.—Projects un-
18 dertaken in areas of less than 50,000 pop-
19 ulation on the National Highway System
20 or pursuant to the Interstate maintenance
21 program shall be selected by the State in
22 consultation with the affected local offi-
23 cials.

24 “(B) PROJECT SELECTION PROCE-
25 DURES.—

1 “(i) IN GENERAL.—Each State, in co-
2 operation with local officials in areas of
3 less than 50,000 population and after pro-
4 viding notice and an opportunity for public
5 comment, shall establish procedures for the
6 selection of projects described in subpara-
7 graph (A)(i).

8 “(ii) REQUIREMENT.—Procedures es-
9 tablished pursuant to clause (i) shall en-
10 sure that local officials in areas of less
11 than 50,000 population are permitted to
12 participate equally with the State in the
13 selection of projects described in subpara-
14 graph (A)(i).

15 “(iii) SUBMISSION TO SECRETARY.—
16 On or before September 30, 1998, the
17 State shall submit procedures established
18 under clause (i) to the Secretary for ap-
19 proval.

20 “(iv) BIENNIAL REVIEW.—The State,
21 in cooperation with local officials in areas
22 of less than 50,000 population, shall review
23 the procedures established under clause (i)
24 on a biennial basis and shall make such
25 modifications to the procedures as may be

1 necessary. Immediately upon the comple-
2 tion of each such review, the State shall re-
3 submit the procedures, as modified, to the
4 Secretary for approval.

5 “(v) APPROVAL.—The Secretary shall
6 approve the procedures submitted by a
7 State under clause (iii) or (iv) if the Sec-
8 retary determines that the procedures were
9 established in accordance with the require-
10 ments of this section. If the Secretary dis-
11 approves the procedures, the Secretary
12 shall require the State to resubmit the pro-
13 cedures after complying with such require-
14 ments.

15 “(vi) ARBITRATION OF DISPUTES.—
16 Upon the request of local officials in areas
17 of less than 50,000 population, the Sec-
18 retary (or the Secretary’s designee) shall
19 serve as an arbitrator to resolve any dis-
20 putes that may arise in establishing proce-
21 dures under clause (i) or in modifying the
22 procedures under clause (iv).”.

1 **SEC. 3. USE OF FUNDS SET ASIDE FOR AREAS OF LESS**
2 **THAN 50,000 POPULATION.**

3 Section 133(d)(3)(B) of title 23, United States Code,
4 is amended by inserting after “shall obligate” the follow-
5 ing: “for eligible projects not on the National Highway
6 System”.

7 **SEC. 4. OFF-SYSTEM BRIDGES.**

8 Section 144(g)(3) of title 23, United States Code, is
9 amended by striking “Not less than” and all that follows
10 through “1997,” and inserting the following: “Not less
11 than 30 percent of the amount apportioned to each State
12 for fiscal year 1998 and each fiscal year thereafter”.

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